

machinery, equipment, and raw materials used in the manufacture, preparation, and holding of the products; and that the defendants continued to introduce in interstate commerce adulterated nuts and nut products, and would continue to so introduce such products unless enjoined from so doing.

DISPOSITION: December 19, 1949. After considering the affidavits of the other parties and the arguments of counsel, the court handed down its findings of fact and conclusions of law, together with its order granting a preliminary injunction against the introduction by the defendants into interstate commerce of any nuts or nut products which were adulterated as alleged in the complaint. It was further ordered that the preliminary injunction should expire on January 16, 1950. No action was taken to make the injunction permanent, and on March 6, 1950, the complaint for injunction was dismissed without prejudice.

16647. Adulteration of cashew nuts. U. S. v. 244 Cases * * *. (F. D. C. No. 29577. Sample No. 75715-K.)

LIBEL FILED: September 9, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about June 26 and August 3, 1950, from New York, N. Y., by the P. H. Petry Co.

PRODUCT: 244 50-pound cases of cashew nuts at Minneapolis, Minn.

LABEL, IN PART: "Packed By Travancore Cashew Nut Co. Quilon Blanched Cashew Kernels Scorched Wholes."

NATURE OF CHARGE: Adulteration, Section 402(a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects.

DISPOSITION: September 22, 1950. The Johnson Nut Co., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing and reconditioning under the supervision of the Federal Security Agency.

In accordance with the decree, the product was examined, and a total of 4½ cases of the product which showed the greatest degree of infestation were destroyed. The portion of the product containing slight to medium infestation was passed through a nut blancher to remove insect filth, with the result that an additional 22 cases were found unfit and were denatured as animal feed.

16648. Adulteration of cashew nuts. U. S. v. 162 Tins * * *. (F. D. C. No. 29583. Sample No. 75716-K.)

LIBEL FILED: September 13, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about June 12, 23, and 26, and August 3, 1950, from New York, N. Y.

PRODUCT: 162 25-pound tins of cashew nuts at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 22, 1950. The Johnson Nut Co., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under

bond for reprocessing and reconditioning under the supervision of the Federal Security Agency.

A total of 99 25-pound tins of the product were reprocessed by running through a blancher, after which, upon examination, they were released for distribution for human use. 64 25-pound tins of the product were disposed of by conversion into hog feed.

16649. Adulteration of pecans. U. S. v. 9 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 29052, 29265. Sample Nos. 70159-K, 81057-K.)

LIBELS FILED: April 10 and June 9, 1950, Eastern District of Pennsylvania and District of Nebraska.

ALLEGED SHIPMENT: On or about February 23 and January 26, 1950, by the Sunshine Pecan Co., from Cleveland, Ohio, and San Antonio, Tex.

PRODUCT: 9 cases, each containing 60 pounds, of pecan pieces at Philadelphia, Pa., and 33 cases, each containing 60 pounds, of the same product at Lincoln, Nebr.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), a portion of the product (9 cases) consisted in whole or in part of a decomposed substance by reason of the presence of decomposed pecan pieces, and it was otherwise unfit for food by reason of the presence of rancid pecan pieces; the remainder was unfit for food by reason of the presence of bitter, rancid, and black pecan pieces.

DISPOSITION: June 20 and July 27, 1950. The Sunshine Pecan Co., of San Antonio, Tex., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for separation of the good from the bad portion, under the supervision of the Food and Drug Administration. Reconditioning operations resulted in the salvage of 643 pounds and the destruction of 974 pounds.

16650. Adulteration of walnut meats. U. S. v. 4 Cases * * *. (F. D. C. No. 29303. Sample No. 78647-K.)

LIBEL FILED: July 19, 1950, District of Montana.

ALLEGED SHIPMENT: On or about June 16, 1950, from Modesto, Calif., by the Sunset Sternau Food Co.

PRODUCT: 4 25-pound cases of walnut meats at Anaconda, Mont.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect-damaged nut meats, and of a decomposed substance by reason of the presence of moldy nut meats.

DISPOSITION: September 22, 1950. Default decree of condemnation. The court ordered that the product be denatured and delivered to a State institution, for use as animal feed.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 16601 TO 16650

PRODUCTS

	(N. J. No.)		(N. J. No.)
Bakery products	16601, 16602	Cashew nuts	16647, 16648
Beans, dried	16635	Catsup, Tomato	16644
Buckwheat flour	¹ 16603	Caviar, salmon	16625
Butter	16619	Cereals and cereal prod-	
Cakes and cookies	16601, 16602	ucts	¹ 16601-16614
Candy	16615-16618		

¹ (16603, 16626, 16627) Permanent injunction issued.